

Message

From: Muench, Andrew [muench.andrew@epa.gov]
Sent: 12/22/2021 6:19:09 PM
To: Nguyen, Khue [Nguyen.Khue@epa.gov]
Subject: RE: Glyphosate questions (BiOp schedule)

Sounds good! I have also added this information to the document.

From: Nguyen, Khue <Nguyen.Khue@epa.gov>
Sent: Wednesday, December 22, 2021 1:00 PM
To: Muench, Andrew <muench.andrew@epa.gov>
Subject: RE: Glyphosate questions (BiOp schedule)

If branch 1 folks are comfortable, you can start sharing with the team today or tomorrow. For the one unanswered question: I don't think there is a process in place right now, glyphosate, the triazines, and the neonics are among the first with early ESA mitigation. We can add that info in the doc for OGC.

Khue Nguyen
Team Leader
Risk Management and Implementation Branch 5
Pesticide Reevaluation Division (PRD)
Office of Pesticide Programs, EPA
202-566-2356
Nguyen.khue@epa.gov

From: Muench, Andrew <muench.andrew@epa.gov>
Sent: Wednesday, December 22, 2021 12:51 PM
To: Nguyen, Khue <Nguyen.Khue@epa.gov>
Subject: RE: Glyphosate questions (BiOp schedule)

Hello Khue,

When are we aiming to get the questions for moot court to team review? The answers to the questions look good to me aside that we need an answer to "What has the process been for other active ingredients."

Should I give branch one till COB tomorrow to review it?

Best,
Andy

From: Nguyen, Khue <Nguyen.Khue@epa.gov>
Sent: Wednesday, December 22, 2021 10:47 AM
To: Muench, Andrew <muench.andrew@epa.gov>
Subject: RE: Glyphosate questions (BiOp schedule)

Good morning Andy,

Would you mind getting the glyphosate team list from Steven—I'd like you to start handling the glyphosate correspondence and interactions with the team if possible, because the more exposure you get now, the better able you will be to handle the upcoming ESA mitigation discussions later this year.

Please work with branch 1 folks, if needed, to review/edit the answers to the questions from OGC and send out for team review: [Glyphosate.questions from OGC in prep for moot court 12.21.21.docx](#)

Please reach out to Steven to schedule a handover meeting as well—he needs to provide the glyphosate files, any important correspondence, and flag any follow up items.

Thanks,

Khue Nguyen
Team Leader
Risk Management and Implementation Branch 5
Pesticide Reevaluation Division (PRD)
Office of Pesticide Programs, EPA
202-566-2356
Nguyen.khue@epa.gov

From: Muench, Andrew <muench.andrew@epa.gov>
Sent: Wednesday, December 22, 2021 9:16 AM
To: Nguyen, Khue <Nguyen.Khue@epa.gov>
Subject: RE: Glyphosate questions (BiOp schedule)

Thanks Khue for following up on these questions!

From: Nguyen, Khue <Nguyen.Khue@epa.gov>
Sent: Tuesday, December 21, 2021 12:12 PM
To: Anderson, Brian <Anderson.Brian@epa.gov>; Spatz, Dana <Spatz.Dana@epa.gov>; Perry, Tracy <Perry.Tracy@epa.gov>
Cc: Muench, Andrew <muench.andrew@epa.gov>; Page, Jordan <Page.Jordan@epa.gov>; Peterson, Steven R. <peterston.stevenr@epa.gov>; Britton, Cathryn <Britton.Cathryn@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>
Subject: RE: Glyphosate questions (BiOp schedule)

Thanks Brian and Dana!

Khue Nguyen
Team Leader
Risk Management and Implementation Branch 5
Pesticide Reevaluation Division (PRD)
Office of Pesticide Programs, EPA
202-566-2356
Nguyen.khue@epa.gov

From: Anderson, Brian <Anderson.Brian@epa.gov>
Sent: Tuesday, December 21, 2021 12:11 PM
To: Spatz, Dana <Spatz.Dana@epa.gov>; Nguyen, Khue <Nguyen.Khue@epa.gov>; Perry, Tracy <Perry.Tracy@epa.gov>
Cc: Muench, Andrew <muench.andrew@epa.gov>; Page, Jordan <Page.Jordan@epa.gov>; Peterson, Steven R. <peterston.stevenr@epa.gov>; Britton, Cathryn <Britton.Cathryn@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>
Subject: RE: Glyphosate questions (BiOp schedule)

I agree with Dana – no request for an extension received yet, but I would expect one in the early part of next year.

Answer to your other questions is really we don't know and it will depend on a lot of things.

From: Spatz, Dana <Spatz.Dana@epa.gov>
Sent: Tuesday, December 21, 2021 11:46 AM
To: Nguyen, Khue <Nguyen.Khue@epa.gov>; Perry, Tracy <Perry.Tracy@epa.gov>; Anderson, Brian <Anderson.Brian@epa.gov>
Cc: Muench, Andrew <muench.andrew@epa.gov>; Page, Jordan <Page.Jordan@epa.gov>; Peterson, Steven R. <peterson.stevenr@epa.gov>; Britton, Cathryn <Britton.Cathryn@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>
Subject: RE: Glyphosate questions (BiOp schedule)

Looping in Brian Anderson.

History tells us to expect to receive a BiOp from NMFS before FWS. I am not aware of any extension requests, nor have I seen any projected dates.

Dana

Dana S. Spatz
Branch Chief, Environmental Risk Branch III
Environmental Fate and Effects Division
Office of Pesticide Programs
Office of Chemical Safety & Pollution Prevention
(202) 566-1794

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From: Nguyen, Khue <Nguyen.Khue@epa.gov>
Sent: Tuesday, December 21, 2021 11:37 AM
To: Perry, Tracy <Perry.Tracy@epa.gov>; Spatz, Dana <Spatz.Dana@epa.gov>
Cc: Muench, Andrew <muench.andrew@epa.gov>; Page, Jordan <Page.Jordan@epa.gov>; Peterson, Steven R. <peterson.stevenr@epa.gov>; Britton, Cathryn <Britton.Cathryn@epa.gov>; Friedman, Dana <Friedman.Dana@epa.gov>
Subject: FW: Glyphosate questions (BiOp schedule)

Hi folks,

OGC is preparing for moot court and oral arguments associated with the request to remand the eco portion of the glyphosate ID. They sent some questions about the schedule for the glyphosate BiOps:

- When does OPP expect the Services to issue their BiOps for glyphosate?
 - Have the Services requested an extension to issue their BiOps?
 - If not, does OPP expect to receive an extension request? When?

- What has the process been for other active ingredients? (is there any precedent?)
- Once the Services issue their BiOps, any estimates on how long it would take to issue a final decision for glyphosate?

I am wondering if either of you have heard anything about the BiOp schedule for glyphosate, or heard of any discussion of an extension request from the Services?

Steven and Andy are out today, and with various folks on leave for the holidays, I wanted to forward these questions to the right folks to get this moving.

Thanks,

Khue Nguyen
Team Leader
Risk Management and Implementation Branch 5
Pesticide Reevaluation Division (PRD)
Office of Pesticide Programs, EPA
202-566-2356
Nguyen.khue@epa.gov

From: Chandrasekaran, Devi <Chandrasekaran.Devi@epa.gov>
Sent: Monday, December 20, 2021 8:53 PM
To: Nguyen, Khue <Nguyen.Khue@epa.gov>; Muench, Andrew <muench.andrew@epa.gov>; Peterson, Steven R. <peterson.stevenr@epa.gov>
Cc: Pittman, Forrest <Pittman.Forrest@epa.gov>
Subject: Glyphosate questions

Hi all,

Thanks for the call today. As discussed, here are the questions we have for OPP regarding glyphosate. Feel free to send responses as you have them; this information will help us prepare for the moot on January 6 and oral argument on January 10.

- Does OPP plan to issue a revised ID for glyphosate?
 - When?
 - What would the revised ID include?
 - Outstanding non-ESA elements (i.e., EDSP determination, EWG petition response, and additional bee data)?
 - Early ESA mitigation measures based on the final BE for glyphosate?
 - Other mitigation measures?
 - Any other changes?
 - When would OPP call in glyphosate labels?
 - Any estimates on how long that process would take, from start (calling in labels) to finish (revised labels on the market)?
 - Would the label call-in be conducted concurrently with the revised ID?
 - If the revised ID does not encompass all outstanding non-ESA elements, would this affect OPP's decision as to whether to call in labels? (e.g., if the EWG petition response is still outstanding, would we wait?)
 - If OPP does not plan to issue a revised ID, does it plan to take other steps to comply with the 10/1/22 registration review deadline?
- When does OPP expect the Services to issue their BiOps for glyphosate?
 - Have the Services requested an extension to issue their BiOps?
 - If not, does OPP expect to receive an extension request? When?

- What has the process been for other active ingredients? (is there any precedent?)
 - Once the Services issue their BiOps, any estimates on how long it would take to issue a final decision for glyphosate?
- Are there any Enlist Duo updates relevant to glyphosate and the questions above?

Thanks,

Devi Chandrasekaran (she/her)
Pesticides and Toxic Substances Law Office
Office of General Counsel
U.S. Environmental Protection Agency
202-564-7268 or [Teams](#)